

SECOND REGULAR SESSION

HOUSE BILL NO. 1683

96TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES BRATTIN (Sponsor), DAVIS, RIDDLE, DUGGER, COX, BROWN (116), LEACH, CRAWFORD, ZERR, ALLEN, CURTMAN, SOMMER, COOKSON, BURLISON, FUNDERBURK, LANT, KEENEY, FLANIGAN, GOSEN, FRANZ, GRISAMORE, HOSKINS, WHITE, BAHR, SOLON, WIELAND, JONES (89), SCHOELLER, FUHR, FALLERT, ASBURY, KELLEY (126), RUZICKA, LARGENT, DAY, SCHIEFFER, HARRIS, MCGHEE, POLLOCK, SHIVELY, HODGES, HINSON, HOUGHTON, LASATER, FRAKER, TORPEY, TILLEY, RICHARDSON, DIEHL, DENISON, WELLS, JONES (117) AND SMITH (150) (Co-sponsors).

5577L.01I

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 190.307 and 650.340, RSMo, and to enact in lieu thereof two new sections relating to emergency dispatch operator training.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Sections 190.307 and 650.340, RSMo, are repealed and two new sections
2 enacted in lieu thereof, to be known as sections 190.307 and 650.340, to read as follows:

190.307. 1. No public agency or public safety agency, nor any officer, agent or employee
2 of any public agency, shall be liable for any civil damages as a result of any act or omission
3 except willful and wanton misconduct or gross negligence, in connection with developing,
4 adopting, operating or implementing any plan or system required by sections 190.300 to 190.340.

5 2. No person who gives emergency instructions through a system established pursuant
6 to sections 190.300 to 190.340 to persons rendering services in an emergency at another location,
7 nor any persons following such instructions in rendering such services, shall be liable for any
8 civil damages as a result of issuing or following the instructions, unless issuing or following the
9 instructions constitutes willful and wanton misconduct, or gross negligence.

10 3. No person who gives instructions through a system established under sections
11 **190.300 to 190.340 regarding self- defense and defense of others based on the training**
12 **required in section 650.340 shall be liable for any civil damages as a result of giving such**
13 **instructions, unless giving such instructions constitutes willful and wanton misconduct or**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

14 **gross negligence. The giving of such instruction in accordance with the training required**
15 **under section 650.340 shall not be deemed the practice of law or the giving of legal advice**
16 **on self-defense or defense of others.**

650.340. 1. The provisions of this section may be cited and shall be known as the "911
2 Training and Standards Act".

3 2. Initial training requirements for telecommunicators who answer 911 calls that come
4 to public safety answering points shall be as follows:

5 (1) Police telecommunicator..... 16 hours;

6 (2) Fire telecommunicator..... 16 hours;

7 (3) Emergency medical services telecommunicator..... 16 hours;

8 (4) Joint communication center telecommunicator..... 40 hours.

9 3. **In addition to the training requirements in subsection 2 of this section, all**
10 **persons employed as a telecommunicator shall be trained in state law regarding self-**
11 **defense and defense of others so that a telecommunicator has a basic knowledge of such**
12 **laws in order to assist persons who are in imminent threat of serious physical injury or**
13 **death. Nothing in this subsection shall be deemed as the practice of law or the giving of**
14 **legal advice, and the civil immunity provided in subsection 3 of section 190.307 shall apply**
15 **to all telecommunicators who give instructions on self-defense and defense of others based**
16 **on the training requirements of this subsection.**

17 4. All persons employed as a telecommunicator in this state shall be required to complete
18 ongoing training so long as such person engages in the occupation as a telecommunicator. Such
19 persons shall complete at least twenty-four hours of ongoing training every three years by such
20 persons or organizations as provided in subsection 6 of this section. The reporting period for the
21 ongoing training under this subsection shall run concurrent with the existing continuing
22 education reporting periods for Missouri peace officers pursuant to chapter 590.

23 [4.] 5. Any person employed as a telecommunicator on August 28, 1999, shall not be
24 required to complete the training requirement as provided in subsection 2 of this section. Any
25 person hired as a telecommunicator after August 28, 1999, shall complete the training
26 requirements as provided in subsection 2 of this section within twelve months of the date such
27 person is employed as a telecommunicator.

28 [5.] 6. The training requirements as provided in [subsection 2] **subsections 2 and 3** of
29 this section shall be waived for any person who furnishes proof to the committee that such
30 person has completed training in another state which are at least as stringent as the training
31 requirements of [subsection 2] **subsections 2 and 3** of this section.

32 [6.] 7. The department of public safety shall determine by administrative rule the persons
33 or organizations authorized to conduct the training as required by [subsection 2] **subsections 2**
34 **and 3** of this section.

35 [7.] 8. This section shall not apply to an emergency medical dispatcher or agency as
36 defined in section 190.100, or a person trained by an entity accredited or certified under section
37 190.131, or a person who provides prearrival medical instructions who works for an agency
38 which meets the requirements set forth in section 190.134.

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